

1 SHARON L. ANDERSON (SBN 94814)
County Counsel
2 NIMA E. SOHI (SBN 233199)
Deputy County Counsel
3 COUNTY OF CONTRA COSTA
651 Pine Street, Ninth Floor
4 Martinez, California 94553
Telephone: (925) 335-1800
5 Facsimile: (925) 335-1866
Email: nima.sohi@cc.cccounty.us
6

Attorneys for Defendants
7 CITY OF LAFAYETTE, COUNTY OF
CONTRA COSTA, LAFAYETTE POLICE
8 CHIEF ERIC CHRISTENSEN,
LAFAYETTE POLICE OFFICER
9 STEVE HARRISON, AND LAFAYETTE
POLICE OFFICER MICHAEL MARSHALL
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 MICHAEL SCHOCK,
16 Plaintiff,

17 v.

18 CITY OF LAFAYETTE; COUNTY OF
CONTRA COSTA; LAFAYETTE
19 POLICE CHIEF ERIC CHRISTENSEN,
individually and in his official capacity;
20 LAFAYETTE POLICE OFFICER
STEVE HARRISON, individually;
21 LAFAYETTE POLICE OFFICER
MICHAEL MARSHALL, individually;
22 and DOES 1 through 20,

23 Defendants.

No. C14-01902 RS

**STIPULATION AND ~~[PROPOSED]~~ ORDER
TO EXTEND TIME TO RESPOND TO
MOTION TO DISMISS AND REPLY IN
SUPPORT OF SAME**

[Civil L.R. 6-1, 6-2, 7-12]

Date: September 4, 2014
Time: 1:30 p.m.
Crtrm: 3, 17th Floor
Judge: Hon. Richard Seeborg, Presiding

Date Action Filed: April 24, 2014
Trial Date: None Assigned

24 Pursuant to Civil Local Rules 6-1(b), 6-2 and 7-12, Plaintiff MICHAEL SCHOCK, by
25 and through his attorney of record, Stan Casper of the Casper, Meadows, Schwartz & Cook
26 law firm, and Defendants COUNTY OF CONTRA COSTA, CITY OF LAFAYETTE,
27 LAFAYETTE POLICE CHIEF ERIC CHRISTENSEN, LAFAYETTE POLICE OFFICER
28 STEVE HARRISON, and LAFAYETTE POLICE OFFICER MICHAEL MARSHALL

(collectively “Defendants”), by and through their attorney of record, Deputy County Counsel Nima E. Sohi of the Contra Costa County Counsel’s Office, hereby file this stipulated request for an order extending the time for the parties to file opposition and reply briefs, in response to and in support of Defendants’ Motion to Dismiss Certain Claims in Plaintiff’s Complaint, or Alternatively, Stay the Action (Doc. No. 10), filed on June 16, 2014.

RECITALS

1. On April 24, 2014, Plaintiff filed a complaint alleging violations of his civil rights pursuant to 42 U.S.C. §§ 1983 and 1988, and the common law of the State of California.

2. On June 16, 2014, Defendants filed a motion to dismiss certain claims in Plaintiff’s complaint, or alternatively, stay the action. The motion to dismiss was originally noticed for hearing before Magistrate Judge Cousins on July 23, 2014.

3. On June 19, 2014, this action was reassigned to Judge Richard Seeborg. The Court ordered that all pending motions must be re-noticed for hearing before the judge to whom the case has been reassigned, but that briefing schedules shall remain unchanged.

4. Pursuant to the Federal Rules and Local Rules, Plaintiff’s response to the motion to dismiss was due on June 30, 2014, with Defendants’ reply due on July 7, 2014.

5. On June 27, 2014, Defendants filed a re-notice of their motion to dismiss, per the Court’s order, setting the hearing date on their motion to dismiss for September 4, 2014. However, due to a misunderstanding, the filing deadlines were input as if the motion was being filed that day, *i.e.*, responses to the motion to dismiss due by July 11, 2014, with replies due by July 18, 2014.

6. The parties have stipulated and agreed that a response to the motion to dismiss shall be due no later than July 7, 2014, with Defendants’ reply in support of said motion to dismiss due no later than July 16, 2014. Pursuant to Civil Local Rule 6-2(a), in the accompanying declaration of Nima E. Sohi, the parties attest that the requested extension of time to respond to the motion to dismiss, and reply to said response, will not affect the current case schedule nor alter the date of any other event or deadline already fixed by Court order.

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~~PROPOSED~~ ORDER

Having considered the stipulation filed by the parties, and good cause appearing, the Court hereby ORDERS that Plaintiff's response to Defendants' Motion to Dismiss Certain Claims in Plaintiff's Complaint, or Alternatively Stay the Action, shall be due no later than July 7, 2014, with Defendants' reply due no later than July 16, 2014.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 6/30/14


HON. RICHARD SEEBORG
United States District Court Judge